

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 11, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 27, 2006.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on June 27, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Presentation of the County-City Volunteer of the Month Award to Christine Cepuran for her services with Parks and Recreation.

This item was deferred to July 18, 2006.

B. The Commissioners Award of Excellence was presented to Jen Fraser, an employee with the Youth Services Center, for June, 2006.

2) **SPECIAL PRESENTATIONS CONTINUED:**

C. A resolution in the matter of proclaiming the period of July 10th through July 21st, 2006 as the annual "Campaign Against Hunger". (R-06-0065)

Cori Beattie, Secretary to the County Board, gave a brief overview of the "Campaign Against Hunger".

The Clerk read the resolution into the record.

MOTION: Stevens moved and Workman seconded approval of Resolution 06-0065 in the matter of proclaiming the period of July 10th through July 21st, 2006 as the annual "Campaign Against Hunger". Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

3) **CLAIMS: Approval of all claims processed through Tuesday, July 11, 2006.**

MOTION: Heier moved and Workman seconded approval of all claims processed through July 11, 2006. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. An application for Corporate Manager for Ronald R. Skoda, Sr. relating to a Class C (Spirits, Wine, Beer On & Off Sale) liquor license for Ron's Pub, Inc. located at 13940 "O" Street, Suite 8, Lincoln, Lancaster County, Nebraska.

The Chair opened the public hearing.

The Clerk administered the oath to Ron Skoda, applicant, and Thomas Lamb, attorney representing Mr. Skoda.

Lamb gave a brief overview of the application for Corporate Manager as well as the application for a Class C liquor license for Ron's Pub. He referred to a letter from Robert Creager, attorney, which was faxed to the County Board that addressed concerns raised by the Sheriff's Office as to the Corporate Manager application for Mr. Skoda.

The Clerk administered the oath to Todd Duncan with the Sheriff's Office.

4) **PUBLIC HEARINGS CONTINUED:**

In response to a question asked by Schorr, Duncan stated 'occupant protection system' likely refers to adult seat belt violation.

The Chair closed the hearing.

MOTION: Workman moved and Stevens seconded to recommend denial of an application for Corporate Manager for Ronald R. Skoda, Sr. relating to a Class C liquor license for Ron's Pub, Inc., located at 13940 "O" Street, Suite 8, Lincoln, Lancaster County, Nebraska.

Stevens indicated he voted for denial due to two prior convictions related to alcohol and the applicant's failure to complete the criminal record section of the application.

ROLL CALL: Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

5) **NEW BUSINESS:**

A. Applications for Special Designated Licenses from Ken's Liquor Inc. to provide liquor beverage service for wedding receptions at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska on the following dates:

- ▶ Friday, July 28, 2006 from 5 p.m. to 1 a.m.
- ▶ Saturday, August 12, 2006 from 5 p.m. to 1 a.m.

MOTION: Stevens moved and Heier seconded approval of applications for Special Designated Licenses from Ken's Liquor Inc. to provide liquor beverage service for wedding receptions at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska on Friday, July 28, 2006 from 5 p.m. to 1 a.m. and Saturday, August 12, 2006 from 5 p.m. to 1 a.m.. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

B. An application for a Special Designated License from the Lancaster Event Center to provide liquor beverage service relating to live entertainment and a demolition derby for the Lancaster County Fair on Wednesday, August 2, 2006 and Thursday, August 3, 2006 from 5 p.m. to 1 a.m. both days.

5) **NEW BUSINESS CONTINUED:**

Workman noted that the applicant is no longer employed by the Event Center.

MOTION: Workman moved and Stevens seconded denial of an application for a Special Designated License from the Lancaster Event Center to provide liquor beverage service relating to live entertainment and a demolition derby for the Lancaster County Fair on Wednesday, August 2, 2006 and Thursday, August 3, 2006 from 5 p.m. to 1 a.m. both days. Workman, Stevens and Schorr voted aye. Heier and Hudkins voted no. Motion carried.

C. An application for a Special Designated License from Slapshotz Bar & Grill to provide liquor beverage service at an adult softball tournament on Saturday, July 29, 2006 from 8 a.m. to 8 p.m. at the Star City Youth Optimist Foundation located at 5600 South Folsom Street, Lincoln, Lancaster County, Nebraska.

MOTION: Stevens moved and Workman seconded approval of an application for a Special Designated License from Slapshotz Bar & Grill to provide liquor beverage service at an adult softball tournament on Saturday, July 29, 2006 from 8 a.m. to 8 p.m. at the Star City Youth Optimist Foundation located at 5600 South Folsom Street, Lincoln, Lancaster County, Nebraska. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

D. A lease agreement between Lancaster County and Region V Systems for approximately 9,951 square feet of office space at Trabert Hall, located at 2202 South 11th Street, Lincoln, Nebraska. Term of the agreement is July 1, 2006 through June 30, 2007. Region V Systems will pay the County \$7,877.88 per month for the leased space. (C-06-0397)

MOTION: Stevens moved and Workman seconded approval of a lease agreement between Lancaster County and Region V Systems for approximately 9,951 square feet of office space at Trabert Hall, located at 2202 South 11th Street, Lincoln, Nebraska. Term of the agreement is July 1, 2006 through June 30, 2007. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

E. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contains a 30-day termination provision.

AHP-MHR HomeCare L.L.P. (C-06-0398)
Bluffs Imaging d/b/a Envision Open MRI
(C-06-0399)
Consultants in Infectious Disease LLC
(C-06-0400)
Lincoln Aesthetic (C-06-0401)

Lincoln Healthcare Services (C-06-0402)
Lincoln Internal Medicine Associates (C-06-0403)
Nebraska Orthopedic & Prosthetic Services
(C-06-0404)
Rheumatology & Osteoporosis Services PC
(C-06-0405)

MOTION: Stevens moved and Workman seconded approval of agreements with AHP-MHR HomeCare L.L.P., Bluffs Imaging d/b/a Envision Open MRI, Consultants in Infectious Disease L.L.C., Lincoln Aesthetic, Lincoln Healthcare Services, Lincoln Internal Medicine Associates, Nebraska Orthopedic & Prosthetic Services and Rheumatology & Osteoporosis Services P.C. to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Workman, Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

F. An amendment to a grant contract with St. Monica's under County Contract No. C-06-0145 for funding for partial care and short term residential treatment, drug testing and staff coordination for those clients referred from Lancaster County's Family Drug Court. The parties wish to extend the contract end date from June 30, 2006 to December 31, 2006, and also wish to increase the total amount of the grant contract from \$31,924 to \$55,013. (C-06-0396)

MOTION: Workman moved and Stevens seconded approval of an amendment to a grant contract with St. Monica's under County Contract No. C-06-0145 for funding for partial care and short term residential treatment, drug testing and staff coordination for those clients referred from Lancaster County's Family Drug Court. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

G. Request from Dennis Keefe, Lancaster County Public Defender, to appoint Sarah P. Newell, as an Attorney I, and to set her salary at \$51,642, effective June 26, 2006.

MOTION: Hudkins moved and Stevens seconded approval of a request from Dennis Keefe, Lancaster County Public Defender, to appoint Sarah P. Newell, as an Attorney I, and to set her salary at \$51,642, effective June 26, 2006. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

H. A political subdivision tort claim filed by Clarence Threats, husband and personal representative of the Estate of Penny R. Threats, for damages sustained while incarcerated at York State Penitentiary, in the amount of \$1,000,000.

MOTION: Workman moved and Heier seconded denial of a political subdivision tort claim filed by Clarence Threats, husband and personal representative of the Estate of Penny R. Threats, for damages sustained while incarcerated at York State Penitentiary, in the amount of \$1,000,000. Stevens, Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

I. Reappointment of Martha Hettenbaugh, Barry Moore, Ruthelen Sittler and Carl Tesch to the Lincoln Area Agency on Aging for three year terms to expire July 1, 2009.

MOTION: Heier moved and Stevens seconded approval of the reappointment of Martha Hettenbaugh, Barry Moore, Ruthelen Sittler and Carl Tesch to the Lincoln Area Agency on Aging for three year terms to expire July 1, 2009. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

J. Adoption of an attendance policy regarding the Pension Review Committee.

Kerry Eagan, Chief Administrative Officer, explained that the policy will amend the Investment Policy to include the attendance policy for the Pension Review Committee.

5) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of the adoption of an attendance policy regarding the Pension Review Committee.
Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. County Assessor/Register of Deeds' Monthly Report for June, 2006.
2. County Clerk's Monthly Report for June, 2006.

B. Setting of a public hearing for Tuesday, July 18, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit No. 06035, requested by Mark Hunzeker on behalf of Greg Sanford, for authority to excavate soil on a 159-acre site on property generally located on the east side of North 56th Street/Highway 77 between Branched Oak Road and Davey Road in Lancaster County, Nebraska.

C. Setting of public hearings for Tuesday, July 25, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. An application for Corporate Manager for Mark A. Wible in connection with a Class ID liquor license for Firethorn Golf Company, L.L.C. located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska.
2. County Change of Zone No. 05080, requested by Marcia Kinning of ESP on behalf of Dutch Bentzinger, from AG to AGR on 21 acres, more or less, to develop a preliminary plat of four residential lots and one outlot on property generally located northeast of Southwest 29th Street and West Martell Road in Lancaster County, Nebraska.
3. County Change of Zone No. 06024, requested by the Director of Planning, to amend the County Zoning Resolution to amend and increase filing fees for zoning applications.

6) CONSENT ITEMS CONTINUED:

4. County Miscellaneous No. 06006, requested by the Director of Planning, to amend the County Land Subdivision Regulations to amend and increase filing fees for land subdivision applications.

D. Setting of public hearings for Tuesday, August 1, 2006 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. County Change of Zone No. 06003, requested by Land II, L.L.C., from AG Agricultural District to AGR Agricultural Residential District, to allow the development of 17 residential acreage lots on 72.85 acres, more or less, on property generally located northwest of the corner of South 68th Street and Roca Road in Lancaster County, Nebraska.

2. County Preliminary Plat No. 06001, The Preserve at Cross Creek 2nd Addition, requested by Land II, L.L.C., to allow the development of 17 residential acreage lots on 72.85 acres, more or less, on property generally located northwest of the corner of South 68th Street and Roca Road in Lancaster County, Nebraska.

3. County Waiver No. 06004, requested by Land II, L.L.C., to allow the development of 17 residential acreage lots on 72.85 acres, more or less, on property generally located northwest of the corner of South 68th Street and Roca Road in Lancaster County, Nebraska.

E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Thelma Lewis, in the total amount of \$645.50, on West "A" Street between Southwest 84th Street and the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0406 and C-06-0407)
- ▶ Eugene T. and JoAnn Benes, in the total amount of \$9,462, on West "A" Street between Southwest 84th Street and the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (3 contracts) (C-06-0408 through C-06-0410)
- ▶ Marjorie E. Alexis Trust, in the total amount of \$36,926, on West "A" Street between Southwest 84th Street and the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (3 contracts) (C-06-0411 through C-06-0413)
- ▶ Kirk and Mary Beth Helmink, in the total amount of \$2,784.75, on South 82nd Street from Panama Road to Hickman Road; Project C55-SX-404(2). (3 contracts) (C-06-0414 through C-06-0416)

6) **CONSENT ITEMS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 10:16 a.m.. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 11, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 10:16 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 27, 2006.**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting held on June 27, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **MOTOR VEHICLE TAX EXEMPTIONS:**

**American Legion, Department of Nebraska
Capitol City Christian Church
Christ's Place
First Presbyterian Church
Parkview Christian School
St. Teresa Church
Seventh-day Adventist Schools of Lincoln
Union College**

2) **MOTOR VEHICLE TAX EXEMPTIONS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3) **NOTICE OF ASSESSED VALUATION CHANGE FOR 2006 FOR THE FOLLOWING:**

Tall Grass Horse Farm, L.L.C.

MOTION: Stevens moved and Hudkins seconded to accept the recommendation of the Assessor/Register of Deeds and send notice of assessed valuation change for 2006 for Tall Grass Horse Farm, L.L.C.. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 10:18 a.m.. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk